

#8
Harmon
2/23/97

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

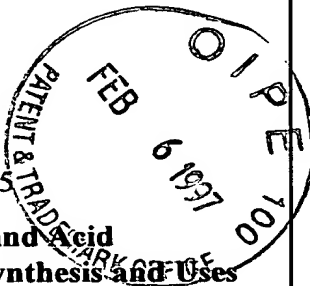
In re application of:

ADAMS *et al.*

Appl. No. 08/549,318

Filed: October 27, 1995

For: **Boronic Ester and Acid
Compounds, Synthesis and Uses**



Art Unit: 1201

Examiner: Haley, J.

Atty. Docket: 1448.0120002/JAG/JMC

Response To Election of Species Requirement

Assistant Commissioner for Patents
Washington, D.C. 20231

FEB 19 1997

Sir:

In response to the Office Action dated January 7, 1997, requesting an election of a single disclosed compound species with respect to claims 1-89 to begin prosecution in the above-referenced patent application, Applicants hereby provisionally elect the species:

N-(2-pyrazine)carbonyl-L-phenylalanine-L-leucine boronic acid (compound MG-341, fourth row of Table 2 at page 85 of the specification).

Currently, claims 1-19, 21-24, 51-57, 63, 64 and 67-78 read upon the elected compound. This election is made without prejudice to or disclaimer of other claims or inventions disclosed.

This election is made **with** traverse. This requirement is traversed to the extent that examination may not be conducted pursuant to the guidelines set forth at MPEP § 803.02. Applicants reserve their right to traverse if the procedure outlined in this section of the MPEP is disregarded.

Reconsideration and withdrawal of the Election of Species Requirement, and consideration and allowance of all pending claims, are respectfully requested.

It is not believed that extensions of time are required, beyond those that may otherwise be provided for in accompanying documents. However, if additional extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required therefor are hereby authorized to be charged to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



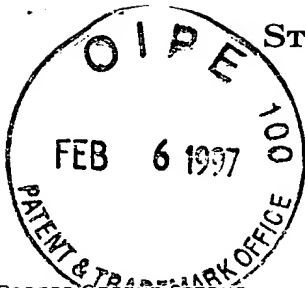
John M. Covert
Attorney for Applicants
Registration No. 38,759

Date: Feb. 6, 1997

1100 New York Avenue, N.W.
Suite 600
Washington, D.C. 20005
(202) 371-2600

JMC:aye

P:\USERS\YHARRIS\JMC\PTO\14480122.ELC



STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

ATTORNEYS AT LAW

SUITE 600

1100 NEW YORK AVENUE, N.W.
WASHINGTON, D.C. 20005-3934

(202) 371-2600

FACSIMILE: (202) 371-2540

1201

ROBERT GREENE STERNE
EDWARD J. KESSLER
JORGE A. GOLDSTEIN
SAMUEL L. FOX
DAVID K.S. CORNWELL
ROBERT W. ESMOND
TRACY-GENE G. DURKIN
MICHELE A. CIMBALA
MICHAEL B. RAY
ROBERT E. SOKOHL
WILLIAM C. ALLISON V

MICHAEL O. LEE
ERIC K. STEFFE
ANDREA G. REISTER
DANIEL N. YANNUZZI
G. KEVIN TOWNSEND*
JOHN M. COVERT*
ANNE BROWN
MICHELE A. VAN PATTEN*
LINDA E. ALCORN
RAZ E. FLESHNER
ROBERT C. MILLONIG

STEVEN R. LUDWIG
MICHAEL V. MESSINGER
LORI L. KERBER*
JUDITH U. KIM*
KEITH KIND*
TIMOTHY J. SHEA, JR.*
DONALD R. MCPHAIL
PATRICK E. GARRETT*
NAREN R. THAPPETA*
JEFFREY W. RENNECKER

DONALD J. FEATHERSTONE**
LAWRENCE B. BUGAISKY**
KAREN R. MARKOWICZ**
KIMBERLIN M. TOOHEY**

*BAR OTHER THAN D.C.
**REGISTERED PATENT AGENTS

WRITER'S DIRECT NUMBER:

INTERNET ADDRESS:

February 6, 1997

Assistant Commissioner for Patents
Washington, D.C. 20231

FEB 19 1997

Re: U.S. Utility Patent Application
Appl. No. 08/549,318; Filed: October 27, 1995
For: **Boronic Ester and Acid Compounds, Synthesis and Uses**
Inventors: Adams *et al.*
Our Ref: 1448.0120002/JAG/JMC

Sir:

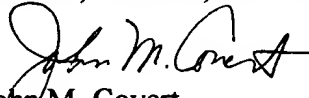
Applicants submit the following documents for appropriate action by the U.S. Patent and Trademark Office:

1. Transmittal Letter (*duplicate*);
2. Response to Election of Species Requirement; and
3. Return post card.

It is respectfully requested that the attached post card be stamped with the date of filing of these documents, and that it be returned to our courier. The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036 A duplicate copy of this letter is enclosed.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX, P.L.L.C.


John M. Covert
Attorney for Applicants
Registration No. 38,759